

MINUTES
Cedar Valley Distribution System
Surface Users
February 16, 2016
6:00 p.m.

Those Present: (See attached roll)

This meeting was called to order by Chairman, Brent Jones. He stated that this meeting is the surface users meeting. He then asked Secretary, LaRee Garfield, to read the Minutes of the 2015 meeting. He then called for a discussion of the Minutes. Sam Bauer said that Cedar City's water is included in the amount shown for the Southwest Field. Brent then called for a motion to approve the Minutes with the above addition. Paul Nelson so moved; Deb Bauer seconded; Minutes approved.

Brent then asked Commissioner Sam Bauer to present the Commissioner's Report for 2015. Sam said that the 2015 water year was below average for the third year in a row. The stream peaked on May 26th at 146 c.f.s. The flow remained low during the year. The 2016 water year looks very good, as there is a good snow pack on the mountain. The pond still needs to be flushed out two-four times a day, especially during the high flow, to wash out the sand and gravel build up. Every time the pond is flushed, four irrigation companies lose water. The repairs to the grizzley from the damage that occurred in the fall of 2014 were made last spring, and it works well when there is a small stream of water coming down the creek. The four irrigation companies that take the water out the north side of the diversion are concerned with the amount of water that will be coming down the creek this year, because of the snow pack on the mountain, that they will also be getting a lot of sand, and the pond will need to be flushed more often, so they will lose more water. When the new diversion was put in, the four irrigation companies were told that this new diversion would remove the sand out of their water, and that has never happened, as they are seeing more and more sand in their ditches every year since this diversion was installed. The irrigation companies feel that they need to go back to the City to resolve the issues about the diversion. It needs to remove the sand and allow them to receive their full shares of water rights. Measuring the water in the Southwest Field is still a problem that has not yet been resolved. The commissioner has in his possession the following: One four drawer filing cabinet and one Dell laptop computer. Sam commented that Ramon has a helper to assist him with the water he manages. Sam also commented that he has a meeting with the four fields to present an idea about the diversion, and they will then go to the City with a proposal. Paul asked who, with some authority, could go with them to approach the City. He said that John Esplin told the City years ago that the diversion would not work, but they went ahead with it, and it has caused nothing but grief. Brent called for a motion to accept the Commissioner's Report. Paul so moved; Rob Dotson seconded; motion carried.

Mike Silva, from the State, said that we have good snow pack this year, but we are hoping for more snow as the snow pack is declining quickly. He then stated that last year, the distribution systems were separated, and a new account number was given to the surface users. This will be discussed later in this meeting.

Jared Manning from the State Water Rights then presented his report. He said that HB258 passed last year, and the Water Commissioners are now State employees. This makes the Commissioners eligible for coverage with liability insurance. This coverage costs about \$100 per year. The Commissioners will also need to provide a milage log to the State and will receive \$.54 per mile. Sam asked if the milage could be included in the salary, and Jared said that he and the Board could make that decision. Mike said that Sam would be reimbursed each time he turned a milage log in.

Jared then presented the 2015 Financial Statement. Our beginning balance as of January 1, 2015, was \$0.00 because of the separation of the two systems. We received assessments in the amount of \$7,999.99; Delinquent penalties in the amount of \$.85; Previous assessments and penalties, \$0.00; Transfers and adjustments which came from the separation of the two systems, \$4,360.30; Annual interest earned, \$27.42, and System reimbursements, \$0.00, for total receipts of \$12,388.56. We had the following expenditures: Budgeted expenditures, \$8,955.00; Unbudgeted expenditures, \$231.77; Transfers and adjustments, \$0.00, for total expenditures of \$9,186.77. Our ending balance as of December 31, 2015, was \$3,201.79.

Brent then called for a motion to approve the 2015 Financial Statement. Sam so moved; Kit Wareham seconded; motion carried.

Brent said that it was now necessary to prepare a budget for 2016. Mike commented that there were no delinquent accounts for the surface users. Sam said that he would like to combine his travel expense with his salary. The 2016 budget was set as follows: Commissioner's salary and travel expense, \$7,585; Social Security, \$581; Insurance, \$160; Secretary Expense, \$150; State Engineer Assessment, \$628; Annual Report, \$150; for a total budget of \$9,254.00. A motion to approve the 2016 budget was made and seconded and unanimously carried. Brent then said that we needed to set the assessment for 2016. Paul commented that we spent \$1,100 more than we took in last year. He then moved that we set the assessment at \$9,000; Sam seconded; motion carried.

Brent then said that we needed to elect a distribution Chair and two Committee members. Brent, Paul and Ramon are the current members. Rob moved that we retain the same members; Sam seconded; motion carried.

Wayne LaBaron commented that he had attended the Ground Water Management meeting held earlier this month, and he wondered how the distribution of the surface water occurs. He was told that the older priority water comes out first, and then the later water rights come out. Coal Creek water users have the lowest water rights. Mr. LaBaron then asked who makes the decision as to where the water goes when there is a lot of water. Nathan Moses from the Water Rights office in Cedar City, said that there is no authorization as to where the water goes. Mr. LaBaron suggested that when there is too much water or the flood water is too muddy, that it could be diverted to Rush Lake and stored there to be used by them to better advantage. They would purchase the water rights from the surface users. He also suggested that the beavers could be re-established in the creek up on the mountain to provide a natural barrier to the flood waters.

-3-

Brent then called for a motion to adjourn the surface users meeting. Kit so moved; Rob seconded; motion carried. Meeting adjourned at 6:55 p.m.

CEDAR VALLEY SURFACE USERS
February 16, 2016

NAME	REPRESENTING	MAILING ADDRESS	PHONE #
1. MIKE SILVA	DIV OF WATER RIGHTS	PO. BOX 146300 SLC UT 84114	801-538-7430
2. Jared Manning	"	"	801-538-7380
3. BRENT JONES	WATER USERS	181 E. MIDVALLEY RD ENOCH UT.	835-559-6734
4. Nathan Moses	Water Rights	Box 506 Cedar City	435-586-4231
5. Sam Bauer	East Extension surface water	1011 W 3000 N Cedar	435-586-4460
6. Deb Bauer	"	"	"
7. Jason Bradshaw	NRCS	2390 W. Hwy 56/14 Cedar	559-0524
8. Rob Dotson	ENOCH CITY	900 E. MIDVALLEY RD, ENOCH	586-1119
9. Paul Nelson	Union Field Irr Co	3736 N. MANSVILLE HWY PERRY	586-6498
10. Valyn Sherratt	water users	4103 W. 2800 N. CC UT 84721	435-531-1473
11. Dan Sherratt	water users	4103 W. 2800 N. CC UT 84721	435-531-1472
12. Ed Whitcomb	Cedar City	10 North Main CC UT 84720	435-586-2963
13. Wayne LyBarton	Cedar Valley Ranch	1453 E. Mariak Rd SC UT 84221	435-559-3280
14. Bill Smith		5045 N. Enoch Rd	(435) 586-0247
15.			
16.			
17.			
18.			
19.			
20.			